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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,969	04/15/2004	Ralph E. Wesinger JR.	GRAPH-005COQ	8219
28661 7590 07/25/2008 LEWIS AND ROCA LLP 1663 Hwy 395, Suite 201 Minden, NV 89423				
EXAMINER AHN, SANGWOO				
ART UNIT 2166		PAPER NUMBER		
MAIL DATE 07/25/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/825,969

Applicant(s)

WESINGER ET AL.

Examiner

SANGWOO AHN

Art Unit

2166

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/29/2008 has been entered.

Claim Objections

2. Claim 15 is objected to because of the following informalities:

Line 6: "... a least one or more of ..." should be corrected.

Line 8: "... between uses ..." should be corrected.

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claim 15 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 5,732,219 issued to Blumer et al. (hereinafter "Blumer").

- Regarding claim 15, Blumer discloses,

A method for updating entries in an on-line database comprising:

receiving a request from a user to add an entry to an on-line database (Figure 4 element 122, column 14 lines 55 – 57, column 9 lines 44 –45, et seq.);

requesting information from said user (column 4 lines 14 – 15, et seq.;

responsive to receiving said requested information from said user, providing said user with at least one or more of complete access to said on-line database, a user ID, a password of said user's choosing, or the ability to customize the look and feel of a user interface for said on-line database between uses (column 4 lines 10 – 41, et seq.).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 16 - 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,732,219 issued to Thomas P. Blumer et al (hereinafter "Blumer") in view of U.S. Patent Number 5,870,552 issued to Linda T. Dozier et al (hereinafter "Dozier").

- Regarding claim 16, Blumer discloses the method of claim 15.

Blumer does not explicitly disclose that said entry includes non-textual content.

Dozier discloses that said entry includes non-textual content (Figure 7, et seq.).

At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to combine the two references because Dozier's inclusion of non-textual content in the database system would have enabled Blumer's overall system to support user-defined classification/categorization of documents and content available to users in an intelligently organized fashion that facilitate uniform, content-driven search and access.

- Regarding claim 17, Dozier discloses that said non-textual content comprise graphics (Figure 7, et seq.).

- Regarding claim 18, Dozier discloses the act of allowing said user to index said entry in said on-line database with at least one user-defined keyword (Figure 10b, column 15 lines 50 – 57, column 16 lines 42 – 44, et seq.).

- Regarding claim 19, Dozier discloses the act of allowing said user to add a URL to said entry in said on-line database (Figures 8a – 8b, et seq.).

- Regarding claim 20, Dozier discloses the act of allowing said user to add a hyperlink to said entry in said on-line database (Figures 8a – 8b, column 14 line 25 – 27, et seq.).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANGWOO AHN whose telephone number is (571)272-5626. The examiner can normally be reached on M-F 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/11/2008
/S. A./
Examiner, Art Unit 2166

/Hosain T Alam/
Supervisory Patent Examiner, Art Unit 2166